IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 31ST AUGUST 2006 / 9TH BHADRA 1928

Bail Appl..No. 5364 of 2006

CRIME NO.51/2006 OF PETTA POLICE STATION, THIRUVANANTHAPURAM

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PETITIONER

MANMADHAN NAIR, AGED 55,
S/O. VELAYUDHAN PILLAI, T/C-9/1504,
ANJALI, CHAKKALAMUKKU, SRIKARYAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR

RESPONDENTS:

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1. ASSISTANT COMMISSIONER,
SANKUMUGHAM DIVISION, TRIVANDRUM.

2. S.I. OF POLICE,
PETTA POLICE STATION, TRIVANDRUM,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5364/2006

DATED THIS THE 31ST DAY OF AUGUST, 2006

O R D E R

The petitioner is accused of the offence punishable under Sections 408 and 381 IPC read with Section 34 IPC, as he had misappropriated an amount of Rs.3,45,000/-, while he was working as the manager of one Jayadevan, an Abkari contractor. The petitioner himself informed the police that the driver, to whom he had entrusted the balance money, collected by the petitioner, was missing with the money. However, the driver was traced from a place called Nagarcovil, and he informed the owner, the Abkari contractor, that the petitioner had played all these tricks, so as to grab an amount of Rs.3,45,000/-, which he collected from Prasanth Hotel, Convent Road, Thiruvananthapuram, which is owned by Jayadevan. The police registered the case as crime No.51/2006 of Petta Police Station, Thiruvananthapuram. Hence the petitioner is before this

Court, under Section 438 Cr.P.C.

2. I heard the arguments advanced by either side. I had also gone through the facts involved in this case. In the facts situation of the case, I direct the petitioner to surrender before the Investigating Officer, who is investigating crime No.51/2006 of Petta Police Station on 11.9.2006 between 10.30 a.m and 11.00 a.m.

3. The Investigating Officer shall interrogate the petitioner, and produce him, as per the law, before the Court below. The petitioner may move an application for bail and the prosecution may also move an application for custodial interrogation, if so required, and the learned Magistrate shall consider both the applications and pass appropriate orders, as per the law.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs